

**ASSEMBLY BILL**

**No. 362**

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**Introduced by Assembly Member Bonnie Lowenthal**

February 14, 2011

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An act to amend Sections 8203 and 8600 of the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 362, as introduced, Bonnie Lowenthal. Elections: office of superior court judge: write-in candidate.

(1) Existing law prohibits an elections official, in any county in which only the incumbent has filed nomination papers for the office of superior court judge, to place the incumbent's name on the ballot unless, within 10 days after the final date for filing nomination papers for the office, a petition indicating that a write-in campaign will be conducted for the office and signed by 100 registered voters qualified to vote with respect to the office is filed with the elections official.

This bill would revise the signature requirement for that petition to 0.1% of the registered voters qualified to vote with respect to the office, provided that the petition shall contain at least 100 signatures but need not contain more than 600 signatures.

(2) Existing law requires every person who desires to be a write-in candidate and have his or her name as written on the ballot of an election counted for a particular office to file a statement of write-in candidacy that contains specified information.

This bill would require that a statement of write-in candidacy for the office of superior court judge also include a statement that the person satisfies the eligibility requirements for a judge of a court of record specified in the California Constitution.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 8203 of the Elections Code is amended  
2 to read:

3 8203. In any county in which only the incumbent has filed  
4 nomination papers for the office of superior court judge, his or her  
5 name shall not appear on the ballot unless there is filed with the  
6 elections official, within 10 days after the final date for filing  
7 nomination papers for the office, a petition indicating that a write-in  
8 campaign will be conducted for the office and signed by ~~100~~ *at*  
9 *least 0.1 percent of the* registered voters qualified to vote with  
10 respect to the office, *provided that the petition shall contain at*  
11 *least 100 signatures but need not contain more than 600 signatures.*

12 If a petition indicating that a write-in campaign will be conducted  
13 for the office at the general election, signed by 100 registered  
14 voters qualified to vote with respect to the office, is filed with the  
15 elections official not less than 83 days before the general election,  
16 the name of the incumbent shall be placed on the general election  
17 ballot if it has not appeared on the direct primary election ballot.

18 If, in conformity with this section, the name of the incumbent  
19 does not appear either on the primary ballot or general election  
20 ballot, the elections official, on the day of the general election,  
21 shall declare the incumbent reelected. Certificates of election  
22 specified in Section 15401 or 15504 shall not be issued to a person  
23 reelected pursuant to this section before the day of the general  
24 election.

25 SEC. 2. Section 8600 of the Elections Code is amended to read:

26 8600. Every person who desires to be a write-in candidate and  
27 have his or her name as written on the ballot of an election counted  
28 for a particular office shall file:

29 (a) A statement of write-in candidacy that contains the following  
30 information:

- 31 (1) Candidate’s name.
- 32 (2) Residence address.
- 33 (3) A declaration stating that he or she is a write-in candidate.
- 34 (4) The title of the office for which he or she is running.

1 (5) The party nomination which he or she seeks, if running in  
2 a partisan primary election.

3 (6) The date of the election.

4 (7) *For the office of superior court judge, a statement that the*  
5 *person satisfies the eligibility requirements of Section 15 of Article*  
6 *VI of the California Constitution.*

7 (b) The requisite number of signatures on the nomination papers,  
8 if any, required pursuant to Sections 8062, 10220, 10510 or, in the  
9 case of a special district not subject to the Uniform District Election  
10 Law (Part 4 (commencing with Section 10500) of Division 10),  
11 the number of signatures required by the principal act of the district.